



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

February 13, 2019

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

David Mairo  
Chiesa Shahinian & Giantomasi PC  
One Boland Drive  
West Orange, NJ 07052

Re: Access to real property at 1301-1323 West Broadway, Hewlett, New York 11557 [Nassau County Tax Map Section 42, Block 44, Lot 18]

Dear Mr. Mairo,

The United States Environmental Protection Agency Region II ("EPA") requests access to the real property owned by your client, The Lucky Acres Company, located at 1301-1323 West Broadway, Hewlett, New York ("Property"). Access is needed for both soil vapor intrusion sampling and the performance of remedial design activities in connection with OU2 of the Peninsula Boulevard Groundwater Plume Superfund Site ("Site"). As you are aware, your client is a potentially responsible party with respect to the Site, an area of groundwater contaminated by tetrachloroethylene ("PCE") and trichloroethylene ("TCE"). EPA response activities at the Property will be performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675.

Enclosed please find two consent forms that, once executed, will provide EPA with access to the Property for the above-mentioned purposes. One consent form addresses soil vapor intrusion sampling at the Property, including the placement and collection of summa canisters to assess indoor air conditions. Access for soil vapor intrusion sampling will be needed for several days, and more information on vapor intrusion can be found in the enclosed factsheet. The second, enclosed consent form addresses planned remedial design activities, including site reconnaissance, geophysical surveying, monitoring activities, and sampling activities. EPA access for such purposes is expected to be intermittent and will be needed for a period of up to 18 months.

Please review, sign, and return the enclosed forms to EPA as soon as possible. The signed forms can be emailed to me at [vazquez.julio@epa.gov](mailto:vazquez.julio@epa.gov) or mailed to my attention at 290 Broadway, 18th Floor, New York, New York 10007. Please contact the Site attorney, Margo Ludmer, at (212) 637-3187 with any questions regarding the consent forms.

Thank you for your cooperation in this matter.

Sincerely yours,

A handwritten signature in blue ink, reading "Julio F. Vazquez", is written over the typed name.

Julio F. Vazquez  
Remedial Project Manager  
US Environmental Protection Agency

Enclosures

cc: John Tanenbaum  
Tanenbaum & Associates  
350 Theodore Friend Avenue, Suite 210  
Rye, New York 10580



## CONSENT FOR ACCESS TO PROPERTY



**Property Owner / Representative:** Lucky Acres Co, 563 Albermarle Place, Cedarhurst, NY 11516 and John Tanenbaum, Tanenbaum & Associates, 350 Theodore Friend Avenue, Suite 210, Rye, NY 10580

**Business Name (if applicable):** Piermont Strip Mall

**Physical address of Property:** 1301-1323 West Broadway, Hewlett, New York 11557 [Nassau County Tax Map Section 42, Block 44, Lot 18]

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency (U.S. EPA) entering and having continued access to the property referenced above for the following purposes:

Conducting monitoring and sampling activities, particularly soil-gas sampling and vapor intrusion investigations;

Performing other actions, as determined necessary by EPA, to assess the presence and extent of hazardous substances on the property; and

Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose a threat to the public health or welfare or the environment.

I further consent to EPA releasing to the public all analytical results of any samples that EPA and its representative's collect or have collected on my property, as identified by my address.

I understand that these actions may be taken by U.S. EPA pursuant to its response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. '9601 et seq.

This written permission is given by me voluntarily with knowledge of my right to refuse and without threats or promises of any kind. I also acknowledge that I am fully authorized to grant such access.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Telephone #

\_\_\_\_\_  
Print Name & Title